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7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **DISTRICT OF NEVADA**

10 DEVRA HANEY-WILLIAMS,

11 Plaintiff,

12 v.

13 SAM'S WEST INC., dba SAM'S PHARMACY  
 #10-4974,

14 Defendants.

Case No.: 2:17-cv-02900-JCM-EJY

**STIPULATION AND ORDER**  
**EXTENDING TIME TO FILE RESPONSE**  
**BRIEFS TO PENDING MOTIONS ECF**  
**NOS. 136, 137, 138, 139**

**[THIRD REQUEST]**

15 SAM'S WEST INC.,

16 Third-Party Plaintiff,

17 v.

18 JUBILANT CADISTA  
 PHARMACEUTICALS, INC., and DOES 1-10,  
 inclusive,

19 Third-Party Defendants.

20 Plaintiff DEVRA HANEY-WILLIAMS (hereinafter "Plaintiff"), Defendant/Third-Party  
 21 Plaintiff SAM'S WEST, INC. (hereinafter "Sam's West"), (collectively, "the Parties"), by  
 22 and through their respective counsel of record, do hereby stipulate and jointly request that the court  
 23 approve extensions of time for the parties to file responses with respect to the following motions  
 24 currently pending before this Court:

- 25 (1) Defendant Sam's West, Inc.'s Motion For Summary Judgment On The First Amended  
 26 Complaint Filed By Plaintiff Devra Haney-Williams [ECF No. 136] – Response due  
 27 **December 7, 2021, Reply due December 17, 2021**  
 28

- (2) Defendant Sam's West, Inc.'s Motion to Exclude Plaintiff's Untimely Disclosure of Expert Christopher Milford M.D. Pursuant to FRCP 37(c)(1) [ECF No. 137] – Response due **December 7, 2021, Reply due December 17, 2021**
- (3) Plaintiff's Motion To Strike Defendant's Expert Neal L. Benowitz, M.D. [ECF No. 138]– Response due **December 7, 2021, Reply due December 17, 2021**
- (4) Plaintiff's Motion for Summary Judgment [ECF No. 139] – Response due **December 7, 2021, Reply due December 17, 2021**

The responses to the above motions have required extensive briefing regarding the facts of the case and the law applicable to the motions and the parties require additional time to complete the responses. The parties have agreed to an extension of time for the responses from December 7, 2021 to December 10, 2021, with the current reply date of December 17, 2021 to remain. The parties aver that this is the third stipulation for an extension of time with respect to these Motions, that the requested extension will not alter any date previously set by the Court in this matter, and this request is made in good faith and not for purposes of delay.

IT IS HEREBY STIPULATED AND AGREED as follows:

- (1) Plaintiff's Opposition to Sam's West's Motion for Summary Judgment [ECF No. 136] shall be due **December 10, 2021**;
- (2) Sam's West's Reply Brief in support of their Motion for Summary Judgment [ECF No. 136] shall be due **December 17, 2021**;
- (3) Plaintiff's Opposition to Sam's West's Motion to Exclude Plaintiff's Untimely Disclosure of Expert Christopher Milford M.D. Pursuant to FRCP 37(c)(1) [ECF No. 137] shall be due **December 10, 2021**;
- (4) Sam's West's Reply in Support of their Motion to Exclude Plaintiff's Untimely Disclosure of Expert Christopher Milford M.D. Pursuant to FRCP 37(c)(1) [ECF No. 137] shall be due **December 17, 2021**;
- (5) Sam's West's Opposition to Plaintiff's Motion To Strike Defendant's Expert Neal L. Benowitz, M.D. [ECF No. 138] shall be due **December 10, 2021**;

- (6) Plaintiff's Reply Brief in Support of Motion to Strike Defendant's Expert Neal L. Benowitz, M.D. [ECF No. 138] shall be due **December 17, 2021**;
- (7) Sam's West's Opposition to Plaintiff's Motion for Summary Judgment [ECF No. 139] shall be due **December 10, 2021**;
- (8) Plaintiff's Reply Brief in support of her Motion for Summary Judgment [ECF No. 139] shall be due **December 17, 2021**.

**IT IS SO AGREED AND STIPULATED.**

Dated: December 7, 2021  
**PHILLIPS, SPALLAS & ANGSTADT LLC**

*/s/ Alyce W. Foshee*

\_\_\_\_\_  
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*Attorneys for Defendant/Third-Party Plaintiff  
Sam's West, Inc.*

Dated: December 7, 2021  
**STOVALL & ASSOCIATES**

*/s/ Ross Moynihan*

\_\_\_\_\_  
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Devra Haney-Williams*

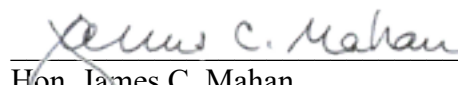
Dated: December 7, 2021  
**MORRISON MAHONEY LLP**

*/s/ Arthur J. Liederman*

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Cadista Pharmaceuticals, Inc.*

Dated December 8, 2021.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
Hon. James C. Mahan  
UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 7<sup>th</sup> day of December 2021, service of the foregoing  
Stipulation and [Proposed] Order was made by electronic service through CM/ECF to:

Robert K. Phillips, Esq.  
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*/s/ Melina Gonzalez*

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An Employee of Stovall & Associates